

REMARKS

Claims 1-5 and 7-16 are pending in the present application. The Office Action rejected the pending claims under 35 U.S.C. §103(a) as being anticipated by U.S. Patent No. 6,978,118 to Vesikivi et al. in view of Publication US 2004/0093317 A1 of Swan.

Claims 1 and 2 have been amended to move subject matter from dependent Claim 2 into Claim 1. The amendment to Claim 1 does not present any new subject matter for new search by the Examiner.

Claims 1, 7, 10 and 14 are the pending independent claims.

Claim 1 includes a recitation of a data conversion section for converting the data corresponding to the identifiers into data suitable for the address book. Claim 10 similarly recites converting the data corresponding to the identifiers into data suitable for the address book of a corresponding portable terminal. However, the invention of Claim 7 recites that the data conversion section is included in the RFID recognition section, and a control section controls operation of the RFID recognition section, so as to transmit converted data to the address book storage section according to a user command, thereby storing the data. In the invention of Claim 14, a data conversion section is provided for structuring address book data using the information read by the RFID recognition section so as to be suitable for the address book of the portable wireless terminal, thereby transmitting the converted information to the control section of the portable wireless terminal.

As a threshold matter, it is respectfully submitted that the analysis provided in the Final Office Action incorrectly assumes that each independent claim only presents the same recitations. That is, the analysis provided at pages 3-5 of the Final Office Action does not address the different recitations presented in each independent claim. It is requested that Applicants be provided with a complete analysis of each claim, both independent and dependent, that are presented in this application.

As explained in the prior responses provided in this application, Vesikivi et al. stores the received RFID information in a single field, as done in conventional systems, which requires user input to facilitate update of address book information. Accordingly, the present Final Office Action cited Swan in an attempt to cure the defects of Vesikivi et al. The Office Action, at page 4, states that the “Examiner is taking the position that the decoder logic of Vesikivi does perform some type of conversion/decoding of the data once it is read by the RFID and that data is used to update an address book, email, or calendar format on the portable wireless terminal.” Such a position is improper at least for failing to provide the required explanation of the reasoning by which the Examiner believes that such position might be supported. See, *In re Lee*, 277 F.3d 1338, 1344, 61 USPQ2d 1430, 1434 (Fed. Cir. 2002) (“[T]he Board must not only assure that the requisite findings are made, based on evidence of record, but must also explain the reasoning by which the findings are deemed to support the agency's conclusion.”). Also see *DyStar Textilfarben GmbH & Co. Deutschland KG v. C.H. Patrick Co.*, 464 F.3d 1356, 80 USPQ2d 1641, 1650 (Fed. Cir. 2006); *In re Zurko*, 258 F.3d 1379, 1383, 1385, 59 USPQ2d 1693 (Fed. Cir. 2001).

The Office Action alleges that Swan “teaches a data conversion section (inherent, [0050, 0213-217]) for converting (the related (unique IDs, [0080-0082, 0095] with end users 21-25) the data corresponding to the identifier into data suitable for the address book [0007] thereby storing the converted data in a field of the address book storage which corresponds to the identifiers. (Swan, [0091-212]).” (Office Action, pages 4-5, errors in original.) It is respectfully submitted that the Examiner’s interpretation of Swan is incorrect for the following reasons.

Swan discloses that a HUB connecting a plurality of contacts (14-17) with a plurality of end users (21-25) detects contact information corresponding to a contact identification code received from the end user, formats the detected contact information according to a need of the end user, and then transmits the contact information to the end

user. In other words, in Swan the end user receives only the contact information desired by the end user, wherein the contact information is already formatted.

To the contrary, the present invention recites that after a portable wireless terminal receives information from a RFID chip, the portable wireless terminal reads an ID and/or data corresponding to the ID among the received information (by a RFID recognition section), converts the read data corresponding to the ID, and stores the converted data in a address book corresponding to the ID (by a data conversion section and a control section).

The newly cited reference of Swan fails to provide a data conversation section for converting the data *corresponding to the identifiers* into data suitable for the address book. In the invention of Claim 1, the identifiers and data corresponding to the identifiers are read from received information. In contrast, the formatting that is taught by Swan is “based on the needs of the end user 21.” (Swan, ¶0081.) The numerous other paragraphs of Swan that were cited in the Office Action fail to cure this defect. Accordingly, Swan does not cure the shortcomings of Vesikivi et al., and each of the independent claims, as well as the claims depending therefrom, are believed to be patentable.

In addition, the Final Office Action fails to provide any citations to where either reference might disclose the recitation of wherein the RFID recognition section comprises an electric wave control section for controlling an electric wave transmission section to transmit the electric wave having a frequency and an intensity corresponding to the RFID chip, which was presented in Claim 2. That is, the analysis provided at the bottom of page 5 of the Office Action simply repeats that claim recitation without providing any citation as to where it is believed that such disclosure exists or is suggested in any of the cited references.

In view of the above, independent Claims 1, 7, 10 and 14 are believed to be in condition for allowance. Without conceding the patentability *per se* of dependent

Claims 2-5, 8, 9, 11-13 and 15-16, these are likewise believed to be allowable by virtue of their dependence on their respective amended independent claims.

Accordingly, all of the claims pending in the Application, namely, Claims 1-5 and 7-16, are believed to be in condition for allowance. Should the Examiner believe that a telephone conference or personal interview would facilitate resolution of any remaining matters, it is requested that the Examiner contact Applicants' attorney at the number provided below.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Paul J. Farrell", written in a cursive style.

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